

# SENATE RECORD VOTE ANALYSIS

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Vote No. 246

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## FOREIGN OPERATIONS APPROPRIATIONS/Strike Special Refugee Status

**SUBJECT:** Foreign Operations, Export Financing, and Related Programs Appropriations Bill for fiscal year 1997 . .  
. H.R. 3540. Simpson amendment No. 5088.

### ACTION: AMENDMENT REJECTED, 22-78

**SYNOPSIS:** As reported, H.R. 3540, the Foreign Operations, Export Financing, and Related Programs Appropriations Bill for fiscal year 1997, will provide \$12.22 billion in new budget authority for foreign aid programs in fiscal year (FY) 1997. This amount is \$707.3 million below the President's request, \$161.6 million below the FY 1996 appropriated amount, and ame \$298.8 million more than the House-passed amount.

**The Simpson amendment** would eliminate the extension until September 1997 of lower evidentiary standards for gaining refugee status granted to certain historically persecuted groups in the former Soviet Union and Indochina. Those groups include Jews and Evangelical Christians from the former Soviet Union, certain Ukrainians, and certain categories of Vietnamese, Laotians, and Cambodians. Ordinarily, to gain refugee status, one must prove a well-founded fear of persecution. Under these more lax standards, one must instead assert membership in one of the covered classes, and then assert that one fears persecution or the possibility of persecution. The maximum number of refugees that will be accepted from each area of the world is negotiated each year between the President and Members of Congress.

**Those favoring** the amendment contended:

Section 576 will extend a special refugee status for certain historically persecuted religious groups in the former Soviet Union and Indochina. In practice, only a handful of refugees from Indochina have been admitted under this status; the rest have been from the former Soviet Union. Each year, about 50,000 people from the former Soviet Union are granted this status. Each year, the United States admits only 92,000 refugees; therefore, more than half of all refugees who are admitted to the United States each year enter under this special status.

(See other side)

YEAS (22)		NAYS (78)				NOT VOTING (0)	
Republicans (22 or 42%)	Democrats (0 or 0%)	Republicans (31 or 58%)		Democrats (47 or 100%)		Republicans (0)	Democrats (0)
Bond		Abraham	Hutchison	Akaka	Inouye		
Brown		Ashcroft	Inhofe	Baucus	Johnston		
Campbell		Bennett	Kempthorne	Biden	Kennedy		
Chafee		Burns	Kyl	Bingaman	Kerrey		
Cochran		Coats	Lott	Boxer	Kerry		
Domenici		Cohen	Mack	Bradley	Kohl		
Faircloth		Coverdell	McConnell	Breaux	Lautenberg		
Gorton		Craig	Nickles	Bryan	Leahy		
Grams		D'Amato	Pressler	Bumpers	Levin		
Gregg		DeWine	Santorum	Byrd	Lieberman		
Hatch		Frahm	Smith	Conrad	Mikulski		
Helms		Frist	Snowe	Daschle	Moseley-Braun		
Jeffords		Gramm	Specter	Dodd	Moynihan		
Kassebaum		Grassley	Stevens	Dorgan	Murray		
Lugar		Hatfield	Thompson	Exon	Nunn		
McCain			Warner	Feingold	Pell		
Murkowski				Feinstein	Pryor		
Roth				Ford	Reid		
Shelby				Glenn	Robb		
Simpson				Graham	Rockefeller		
Thomas				Harkin	Sarbanes		
Thurmond				Heflin	Simon		
				Hollings	Wellstone		
					Wyden		

#### EXPLANATION OF ABSENCE:

- 1—Official Buisiness
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

The international definition for a "refugee" is someone with a well-founded fear of persecution on account of race, religion, nationality, or membership in a particular social or political group. The United States adopted this definition in 1980. Determination of whether an individual is a refugee is made on a case-by-case basis. Ordinarily, to qualify as a refugee, one must prove a well-founded fear of persecution. Generally, refugees who have been admitted have been people who have been fleeing for their lives. Under the special refugee status, one need not need prove a well-founded fear of persecution. Instead, if one is a member of one of the qualifying religions, one need only assert a fear of the possibility of persecution. Basically, if one is a member of one of the protected religions, one may gain refugee status. In the former Soviet Union, Jews, Evangelicals, Pentecostals, and Orthodox Ukrainians qualify for this status. Roughly 80 percent of those people who have come to the United States using this status have been Jews, with most of the rest being Evangelicals.

Very little in the way of proof of religious background is requested. The Immigration and Naturalization Service (INS) has noted that all any Russian needs to do is claim that one maternal grandmother was Jewish and that claim will be accepted. No written documentation is required. With the Protestant groups the problem is even worse. There have been a large number of very dubious conversions and classes have been taught in the rudiments of their religious practices so that refugee applicants will know how to represent themselves as members of those religious faiths. According to the INS, Russians have been using this status as a "side-door immigration program." As such, it is far preferable to legal immigration, because the United States picks up all the bills for refugees. It pays to bring them to America, it gives them housing, it feeds and clothes them, and it otherwise makes them wards of the welfare state. Legal immigrants, though, must have sponsors, must pay for their own transportation, and are expected to work (though many go on welfare). Yet another problem is that this status has become a favorite means of the Russian Mafia to enter the United States. According to the Federal Bureau of Investigation, more than 2,000 Russian criminals have entered the United States posing as refugees who were persecuted because of their religion.

This special refugee status was first enacted in 1989 when the Soviet Union was disintegrating and religious persecution was rising. At the time, we wholly supported granting it because of the grave danger that religious persecution could become extreme. However, that situation has changed. Russia has a duly elected government, and though religious bigotry is endemic, there is no official or unofficial persecution that rises to the level that is ordinarily associated with granting refugee status. In fact, there are more than 42,000 people in the former Soviet Union who have received refugee status but who have not left. More than half of them have had that status for more than a year.

Scarce refugee slots should not be taken by people who do not fear persecution, who are often just pretending to be members of particular religions to gain refugee status, who are often just looking for a way to make the United States pay for their emigration, and who are often criminals. No excuse exists for extending this status 1 more year. Therefore, we urge Senators to vote for the Simpson amendment.

**Those opposing the amendment contended:**

The Senate passed a 2-year extension of this refugee status in 1994 by a vote of 85-15. We expect a similarly strong vote in favor of an extension today, because, if anything, religious persecution has worsened in the former Soviet Union. The law lowering the evidentiary standard in 1989 was originally passed because of the persecution that certain religious groups suffered from under the communist government. The Soviet Union has crumbled, but religious bigotry, and especially anti-Semitism, is still prevalent and it is increasing. According to Sergei Sirotkin, former Deputy Chairman of the Commission on Human Rights under the President of the Russian Federation, there are approximately 150 periodicals in Russia that propagate ideas of fascism, extreme nationalism, xenophobia, and anti-Semitism. One national newspaper recently wrote, "The Jews are not a nation but a sect of degenerates." Moscow's Deputy Public Prosecutor said that he did not think this statement contained anything insulting to Jews. Gennady Zyuganov, the Communist Party candidate for President, wrote that "the Jewish diaspora holds the controlling interest in the entire economic life of Western civilization." Zhirinovskiy, the Liberal Democratic Party of Russia leader, said that "for anti-Semitism to disappear, all Jews must move to Israel." Alexander Lebed, President Yeltsin's new National Security Adviser, recently stated that Russia has only three established, traditional religions--Orthodox Christianity, Islam, and Buddhism. Obviously, there is a great deal of religious bigotry both among the general populace and among the political leaders of all the political parties in Russia. The threat of anti-Semitism in the post-Soviet states is greater today than it has been at any time in the last decade. The inability of governments to enforce their own laws, the worsening economic situation throughout the region that is leading to a search for scapegoats, and an increasing number of politicians and officials who see anti-Semitism as a useful tool to advance their causes all contribute to this threat. Certainly some people have abused this designation. The solution is to work to improve the process in order to identify criminals and others who are pretending to be refugees and to exclude them. The solution is certainly not to deny asylum to people trying to escape from the current level of religious persecution. Therefore, we strongly urge our colleagues to reject the Simpson amendment.